



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,540	09/01/2006	Gautam Dharamdas Goradia	KRISHNA.GORADIA.PT6	7088

24943 7590 11/13/2007
INTELLECTUAL PROPERTY LAW GROUP LLP
12 SOUTH FIRST STREET
SUITE 1205
SAN JOSE, CA 95113

EXAMINER

BROMELL, ALEXANDRIA Y

ART UNIT	PAPER NUMBER
----------	--------------

2169

MAIL DATE	DELIVERY MODE
-----------	---------------

11/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,540

Applicant(s)

GORADIA, GAUTAM
DHARAMDAS

Examiner

Alexandria Y. Bromell

Art Unit

2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/1/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to Applicant's application 10/598,540, filed 9/1/06, which is a 371 of PCT/IN05/00051. Claims 1-19, which are currently pending, are considered below.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) to INDIA 253/MUM/2004, filed 3/3/04.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 9/1/06 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

6. The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

7. Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

8. Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.").

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

Art Unit: 2169

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petersen et al. (U.S. Patent 6308179) in view of Sheppard (U.S. Patent 5832472) and further in view of Pinkham (U.S. Patent Publication 20040243390).

With respect to claim 1, Petersen teaches a user interface (i.e. user interface used with a browser to organize and locate documents, column 8, lines 66-67), one or more well-classified databases to store data user wise (i.e. databases store documents that are user-specific, column 10, lines 19-32), a user database (i.e. each user has their information stored separately, they are principles or kernels, column 11, lines 21-22), and a configuration database (i.e. user's system receives customizations for their own documents, column 11, lines 44-63), at least one well classified (document) bank module to input, organize and manage one's own (documents) in the form of data/record(s) in the databases (i.e. architecture allows the organization and storage of an individual's own documents, and also facilitates sharing and organization of documents, column 11, lines 64-67), modules for sharing, invoking, and/or customizing (document) data/record(s) in a databank for improvement of one's knowledge on various subjects (i.e. architecture facilitates sharing and customization of documents, column 11, lines 64-67), and a control system acting as a bridge between the modules and the databases to display relevant data/record(s) on the user interface by finding the same from the databank, based on none or one or more "FIND" conditions (i.e. a find

Art Unit: 2169

function is used to search for and display relevant documents for the user, column 21, lines 20-38). Petersen does not explicitly disclose that the documents are encyclopedia articles, or that a translation database is included. However, Sheppard teaches an encyclopedia bank database (i.e. an electronic encyclopedia database, column 1, lines 60-65). Sheppard does not explicitly disclose that a translation database is included. However, Pinkham teaches a translation database (i.e. database used to store language translations and mappings, [0017, 0019]). Petersen, Sheppard, and Pinkham are analogous art because they are from the same field of endeavor of enabling a user to access electronic textual documentation. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Petersen, Sheppard, and Pinkham before him or her, to modify the system of Petersen to include the teachings of Sheppard and Pinkham in order to provide an electronic encyclopedia (Sheppard, column 1, lines 60-65), and to provide electronic translations for those documents (Pinkham, [0015]). The motivation for doing so would have been to create a system that allows a user to access a database with encyclopedia articles (Sheppard, column 1, lines 60-65), and allow the user to translate those articles in different languages (Pinkham, [0015]). Therefore, it would have been obvious to combine Pinkham with Sheppard with Petersen to obtain the invention as specified in the instant claim(s).

With respect to claim 2, Petersen teaches the "FIND" conditions to find the data/record(s) from the databank are defined by none or one or more classifications like the Date, Record ID, Language, Source of Information, Index Letter, Age Group,

Subject, and Sub subjects, as well as by keywords, wildcard characters, file attachments, associations, attachment remarks, association remarks, import remarks, or bookmark remarks (i.e. documents have property tags which make them searchable, column 22, lines 17-19, and some of the properties may specify names, values, or methods identifying the document, column 23, lines 19-26), including, but not limited to, whether or not the data/record is marked as "Private" or "Public" or either, "Favorite" (i.e. document properties can be specified in a tag as basic or private, column 20, lines 61-67).

With respect to claim 3, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen does not explicitly disclose that the documents are part of an encyclopedia bank. However, Sheppard teaches said encyclopedia bank module allows the user to classify the data/record(s) by classifications selected or added in one or more of the groups consisting of Date, Language, Source of Information, Index Letter, Age Group, Subject, and Sub subjects (i.e. documents are classified in many different ways - by subject, topic, sub-topic, expertise of author, column 5, lines 23-36). Therefore, the limitations of claim 3 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 4, Petersen teaches said (document) bank module allows the user to cross-reference data/record(s) in the databank (i.e. data records, or documents, may be cross-referenced, or linked to other documents, column 11, 44-63).

With respect to claim 5, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen does not explicitly disclose an encyclopedia bank. However, Sheppard teaches said encyclopedia bank module allows the user to find data/record(s) from the databank, which have similar classifications (i.e. user may view documents by classification, which allows them to locate similar articles, column 5, lines 23-36). Therefore, the limitations of claim 5 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 6, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen does not explicitly disclose an encyclopedia bank. However, Sheppard teaches said encyclopedia bank module comprises a utility for copying of existing classification and previously entered data/record for new data/record input by the user, for ease of data entry, with a choice of defining an extent of details to be copied (i.e. a document may be added to an existing document category, column 5, lines 23-36). Therefore, the limitations of claim 6 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 7, Petersen teaches that the modules include an export module, which allows the user to export data/record(s) from the databank, such data/record(s) having been selected by the user by finding the same by none or one or more FIND conditions (i.e. user may export, or link documents that they find in a search

so that they are available to other users, column 11, lines 44-67, and column 19, lines 58-67).

With respect to claim 8, Petersen teaches the modules include an import module, which allows the user to import data/record(s) built by another user using the same system (i.e. files can be imported into the system like email files, column 17, lines 54-59, and column 18, line 8).

With respect to claim 9, Petersen teaches the import module further comprises a utility, which allows the user to selectively import the data/record(s) (i.e. user may selectively link to the documents that they desire, column 11, lines 44-67).

With respect to claim 10, Petersen teaches the modules include a global changes module, which allows the user to modify data/record(s), delete data/record(s) (i.e. documents can be changed, column 15, line 31, and a dialog box is used to alter documents, column 26, lines 57-67), mark data/record(s) as "Public" or "Private" and/or "Favorite" (i.e. document properties can be specified in a tag as basic or private, column 20, lines 61-67), associate additional information in the form of file(s)/URL(s)/remark(s) to data/record(s), attach a file such as an image, animation, or a sound file to data/record(s) (i.e. additional information from the base file may be an email, streaming camera images, or many other types of attachments, column 11, lines 21-35). Petersen teaches that when a change is made to a base or individual document, the change is made globally (column 13, lines 44-53). Peterson does not explicitly disclose translating data records. However, Pinkham teaches translating data/record(s) (i.e. textual input allows the user to transfer a written version of a document or other text from a source

language to a target language, [0070]). Therefore, the limitations of claim 10 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 11, Petersen teaches the modules include a recycle bin module, which allows the user to restore or permanently remove data/record(s) individually or plurally from the databank (i.e. documents or properties can be permanently deleted for an individual, and other linked users, column 13, lines 44-53).

With respect to claim 12, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen does not explicitly disclose a reports module. Sheppard teaches an encyclopedia database (column 1, lines 60-65). Sheppard does not explicitly disclose a reports module. However, Pinkham teaches the modules include a reports module, which allows the user to print reports and/or graphs from the data/record(s) in the databank, by finding the same by none or one or more "FIND" conditions (i.e. report statistics can be run on associations searched for in the database, [0051], and printed, [0034]). Therefore, the limitations of claim 12 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 13, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen teaches that when a change is made to a base or individual document, the change is made globally (column 13, lines 44-53). Petersen does not explicitly disclose a translation module. Sheppard teaches and

encyclopedia database (column 1, lines 60-65). Sheppard does not explicitly disclose a translation module. However, Pinkham teaches the modules include a translation module, which allows the user to translate data/record(s) in the databank, from one language into another of user's choice (i.e. textual input allows the user to transfer a written version of a document or other text from a source language to a target language, [0070]). Therefore, the limitations of claim 13 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 14, Petersen teaches the modules include a tools/help menu options module, which allows the user to select an option for customization including system maintenance and updating of databases (i.e. a dialog box is available on the display screen to help the user alter, manipulate, and update documents, column 26, lines 57-67).

With respect to claim 15, Petersen teaches the modules include a master module, which allows the user to create and store masters for well-defined classifications (i.e. previously defined classifications allow a collection to be created dynamically, column 21, lines 39-48).

With respect to claim 16, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen does not explicitly disclose the use of hand held devices. Sheppard teaches and encyclopedia database (column 1, lines 60-65). Sheppard does not explicitly disclose the use of hand-held devices. However, Pinkham teaches the modules and utilities are adapted to be operated within a browser

and/or other viewing and/or processing programs and to operate on one or more computer systems including hand held devices (i.e. system can work over a network, or with hand-held devices, [0027]).

With respect to claim 17, Petersen teaches a user interface (i.e. user interface used with a browser to organize and locate documents, column 8, lines 66-67), one or more well-classified databases to store data/record(s) user wise (i.e. databases store documents that are user-specific, column 10, lines 19-32), a user database (i.e. each user has their information stored separately, column 11, lines 21-22), and a configuration database (i.e. user's system receives customizations for their own documents, column 11, lines 44-63), at least one well classified (document) bank module to input, organize and manage one's own (documents) in the form of data/records in the databases (i.e. architecture allows the organization and storage of an individual's own documents, and also facilitates sharing and organization of documents, column 11, lines 64-67), for classifying the data/record(s) by classifications selected or added in one or more groups consisting of Date, Language, Source of Information, Index Letter, Age Group, Subject, and Sub subjects (i.e. documents have property tags which make them searchable, column 22, lines 17-19, and some of the properties may specify names, values, or methods identifying the document, column 23, lines 19-26), and a control system acting as a bridge between the module and the databases to display relevant data/record(s) on the user interface by finding the same from a databank, based on none or one or more "FIND" conditions (i.e. find is used to display relevant documents for the user, column 21, lines 20-38).). Petersen does not

explicitly disclose that the documents are encyclopedia articles, or that a translation database is included. However, Sheppard teaches including an encyclopedia bank database (i.e. an electronic encyclopedia database, column 1, lines 60-65). Sheppard does not explicitly disclose that a translation database is included. However, Pinkham teaches a translation database (i.e. database used to store language translations and mappings, [0017, 0019]). Petersen, Sheppard, and Pinkham are analogous art because they are from the same field of endeavor of enabling a user to access electronic textual documentation. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Petersen, Sheppard, and Pinkham before him or her, to modify the system of Petersen to include the teachings of Sheppard and Pinkham in order to provide an electronic encyclopedia (Sheppard, column 1, lines 60-65), and to provide electronic translations for those documents (Pinkham, [0015]). The motivation for doing so would have been to create a system that allows a user to access a database with encyclopedia articles (Sheppard, column 1, lines 60-65), and allowing the user to translate those articles in different languages (Pinkham, [0015]). Therefore, it would have been obvious to combine Pinkham with Sheppard with Petersen to obtain the invention as specified in the instant claim(s).

With respect to claim 18, Petersen teaches accessing documents using a computer system, where the user is able to organize and share their personalized documents (column 11, lines 64-67). Petersen does not explicitly disclose an encyclopedia bank. However, Sheppard teaches the encyclopedia bank module includes a utility for copying of existing classification and previously entered

data/record(s) for new data input by the user, for ease of data/record entry, with a choice of defining an extent of details to be copied (i.e. a document may be added to an existing document category, column 5, lines 23-36). Therefore, the limitations of claim 18 are rejected in the analysis of claim 17 above, and the claim is rejected on that basis.

With respect to claim 19, Petersen teaches the encyclopedia bank module allows the user to modify a record individually) (i.e. documents can be changed, column 15, line 31, and a dialog box is used to alter documents, column 26, lines 57-67), and further comprises a utility, which allows the user to modify data/records globally (when a change is made to a base or individual document, the change is made globally (column 13, lines 44-53).

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandria Y. Bromell whose telephone number is 571-270-3034. The examiner can normally be reached on M-R 6:30-5.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on 571-272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2169

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alexandria Y Bromell
Examiner
Art Unit 2169

AYB

November 8, 2007



MOHAMMAD ALI
SUPERVISORY PATENT EXAMINER